Paper No. 10

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AVATION MEDICAL, INC.,

Petitioner,

v.

EMKINETICS, INC.,

Patent Owner

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Review No. IPR2024-01378
U.S. Patent No. 9,002,477

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**PATENT OWNER'S UPDATED MANDATORY NOTICES**

Pursuant to 37 C.F.R. § 42.8, Patent Owner, EMKinetics, Inc. ("Patent Owner"), hereby submits the following Updated Mandatory Notices in connection with the *Inter Partes* Review of U.S. Patent No. 9,002,477 ("'477 Patent"). With this update, Patent Owner intends to update Lead Counsel's office and mailing address.

**1. Real Party-In-Interest under 37 CFR § 42.8(b)(1)**

EMKinetics, Inc. is the Patent Owner and the Real Party-In-Interest in this proceeding.

**2. Related Matters under 37 CFR § 42.8(b)(2)**

The matters listed below might affect, or be affected by, a decision in this proceeding pursuant to 37 C.F.R. § 42.8(b)(2):

EMKinetics, Inc. has asserted the '477 patent against Petitioner in *Avation Medical, Inc. v. EMKinetics, Inc.*, U.S. District Court for the Northern District of California, Case No. 4:24-cv-01702-JST ("NDCA Litigation"). EMKinetics, Inc. also asserted U.S. Patent No. 11,224,742 ("'742 Patent") and U.S. Patent No. 11,844,943 ("'943 Patent") against Petitioner in the NDCA Litigation.

The '742 and '943 Patents claim priority to the same application(s) as the '477 Patent. The '742 Patent is currently the subject of IPR2024-01375, filed by

Petitioner on September 3, 2024. The ’943 Patent is currently the subject of PGR2024-00043, filed by Petitioner on July 1, 2024.

### 3. Lead and Back-Up Counsel under 37 CFR § 42.8(b)(3)

The Patent Owner designates the following lead and back-up counsel:

| Lead Counsel | Backup Counsel |
|---|---|
| David Gerasimow, Reg. No. 57,512<br>The Law Offices of David A. Gerasimow, P.C.<br>153 W. Ohio St., Ste. 407<br>Chicago, IL 60654<br>Tel: (312) 919-4254<br>Email: dave@gerasimowlaw.com | Eran Steinberg, Reg. No. 53,637<br>137 Granville Way<br>San Francisco, CA 94127<br>Tel: (415) 902-7026<br>Email: venture@eransteinberg.com |

### 4. Service Information under 37 CFR § 42.8(b)(4)(i) *et seq.*

Please address all correspondence and service to counsel as listed above. Patent Owner consents to service by email at **dave@gerasimowlaw.com**.

Respectfully submitted,

Date: May 23, 2025

/David Gerasimow/

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies that on May 23, 2025, a complete and entire copy of this Patent Owner's Updated Mandatory Notices was provided via email to the Petitioner by serving the email correspondence addresses of record as follows:

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Date: May 23, 2025

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